

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JILL MCNEARNEY,

Plaintiff,

v.

WASHINGTON DEPARTMENT OF  
CORRECTIONS and STEVEN  
HAMMOND, M.D.

Defendants.

NO. C11-5930-RBL/KLS

ORDER EXTENDING  
DISCOVERY CUTOFF FOR  
DEPOSITIONS

THIS MATTER having come regularly before the Court on the parties' agreement to extend the discovery cutoff for depositions (ECF No. 32), the Court having reviewed the memoranda submitted by the parties and being otherwise fully advised does hereby find and

**ORDER:**

1. Parties' request to extend the discovery cutoff (ECF No. 32) is **GRANTED**.
2. All discovery shall be completed by July 20, 2012, except as follows:
  - a. The parties shall have 30 days from receipt of a foot and ankle specialist's report and recommendation to complete the depositions of the following witnesses if the Court grants Plaintiff's motion for a preliminary injunction and orders Defendants to send Plaintiff to a foot and ankle specialist at Harborview Medical Center for further evaluation and a treatment recommendation: Ms. Megan Herdener; Dr. Roger Starkweather; Dr. James Dahl; Dr. Shawn Nixon; Plaintiff Jill McNearney; Defendant Dr. Steven Hammond; and any foot and ankle

1 specialist at Harborview Medical Center that examines and/or  
2 recommends treatment for Plaintiff; or

3 b. In the alternative, the parties shall have 30 days from receipt of the  
4 Court's Order denying Plaintiff's Motion for a Preliminary Injunction to  
5 complete the depositions of the witnesses listed in subpart (2)(a).

6 3. The Court has not yet set a deadline for the parties to disclose expert witnesses  
7 pursuant to Fed. R. Civ. P. 26(a)(2). The Court will set a deadline for these  
8 disclosures in a future scheduling order. The discovery completion deadlines  
9 set forth above do not apply to the depositions of expert witnesses disclosed  
10 under Fed. R. Civ. P. 26(a)(2).

11 4. The Clerk of the Court is instructed to send uncertified copies of this Order to  
12 counsel for Plaintiff and counsel for Defendants.

13  
14 **DATED** this 23rd day of July, 2012.

15  
16 

Karen L. Strombom  
United States Magistrate Judge

17 Submitted by:

18 ROBERT M. MCKENNA  
19 Attorney General

20 s/ Brian J. Considine  
21 BRIAN J. CONSIDINE, WSBA #39517  
22 Assistant Attorney General

23 PUBLIC INTEREST LAW GROUP, PLLC

24 s/ Hank Balson  
25 HANK BALSON, WSBA #29250  
26 Attorney for Plaintiff